

PAPER - I
(Objective Type)

- 1) According to Section 2 (11) C.P.C., 'legal representative' means ()
(i) a person who in law represents the estate of a deceased person
(ii) any person who intermeddles with the estate of the deceased
(iii) any person elected under the Representation of the people Act, 1951
(iv) any person who can represent the party to the suit
(a) (i) and (ii) (b) (i) and (iii) (c) (iii)
(d) (ii) and (iv)
- 2) Order rejecting plaint under Order 7 Rule 11 of CPC - ()
a) is a decree;
b) is an order;
c) is a deemed decree;
d) none of the above.
- 3) Private alienation or transfer of property after attachment is: ()
a) void;
b) voidable;
c) valid;
d) valid only when there is prior agreement.
- 4) Whether an order of temporary prohibitory injunction granted under Order 39 Rule 1 of the Code of Civil Procedure would automatically revive with the restitution of suit which was dismissed for default? ()
a) No;
b) Yes;
c) At the discretion of the Court;
d) None.
- 5) Several plaintiffs seek joint title in declaration suit - one of the plaintiffs dies - legal representatives are not brought on record - Whether suit - ()
a) Abates against deceased plaintiff only;
b) Abates against all plaintiffs;
c) Does not abate against any plaintiff;
d) Does not abate against remaining plaintiffs.
- 6) A suit was filed and disposed off by a Court which had no territorial jurisdiction to try it. That judgment and decree became final. Whether the findings recorded in it operate as res judicata in a subsequent suit between the same parties. ()
a) No.
b) Yes.
c) depends on the facts and circumstances of each case.
d) at the discretion of the court.

7) All questions arising between the parties to the suit or their representatives relating to the execution, discharge or satisfaction of the decree shall be determined by, -- ()

- a) the Court which passed the decree;
- b) the Court executing the decree;
- c) a separate suit;
- d) the Court to which an appeal against the decree lies.

8) When two or more courts have the jurisdiction if the parties by an agreement confer the jurisdiction exclusively on one of such courts, it results into -- ()

- a) inherent jurisdiction;
- b) personal jurisdiction;
- c) consensual jurisdiction;
- d) illegal jurisdiction.

9) In the State of Andhra Pradesh, the provision of Section 5 Limitation Act, 1963 apply to ()

- (a) all applications under Order 21
- (b) all applications under Order 21 Rule 42
- (c) all applications under Order 21 Rule 106(3)
- (d) none of the above

10) In connection with a suit by an indigent person, the suit is deemed to be instituted on the date -- ()

- a) When the application for leave to sue as a pauper is made;
- b) when such application is admitted;
- c) when such application is rejected;
- d) None of the above.

11) What is the period of limitation for filing a suit under Article 113 of the Limitation Act? ()

- a) 5 years;
- b) 6 months;
- c) 3 years;
- d) 6 years.

12) The subject: "Bill of Exchange, Cheques, Promissory Notes" falls in which list of VII Schedule to the Constitution of India: ()

- a) State List;
- b) Union List;
- c) Concurrent List;
- d) None.

13) Decision of Rent Control Court on relationship of landlord and tenant between parties – civil suit between same parties pending – same question arising between parties – whether decision of Rent Control Court binding on civil court? ()

- a) No;
- b) Only as piece of evidence;
- c) Yes;
- d) Only persuasive value.

14) 'A' purchases non-judicial stamp paper worth Rs. 10,000/- for obtaining a sale deed in his name. Later, 'A' dies and B uses the said stamp paper for his own documents. Is it permissible? ()

- a) Yes;
- b) No;
- c) Under certain circumstances;
- d) None.

15) Plaintiff seeks specific performance of an oral contract and alternatively pleads benefit of Section 53-A of the Transfer of Property Act – Whether alternative relief: ()

- a) Can be granted;
- b) Can be granted subject to conditions;
- c) Depends on proof by plaintiff;
- d) Cannot be granted.

16) A Court of Small Causes can decide title dispute relating to immovable property: ()

- a) No;
- b) It can decide if the value of the property is within its pecuniary limits;
- c) If it is a Senior Civil Judge Court acts as a small cause court;
- d) In a suit relating to rent for such property.

17) Parliament consists of: ()

- a) House of people and Council of States;
- b) President, Rajya Sabha and Lok Sabha;
- c) Only Lok Sabha;
- d) Only Lok Sabha and Rajya Sabha.

18) 'The rule of law' is found in: ()

- a) Article 12;
- b) Article 14;
- c) Article 16;
- d) Article 21.

19) 'A' executes an agreement to sell his land in favour of 'B'. The agreement contains a clause that in case contract is broken the defaulting party should pay Rupees Five lakhs as compensation to the other party. In such a case, the party not at fault is entitled to: ()

- a) damages actually suffered by him even if they exceed Rs. Five lakhs;
- b) damages actually suffered by him only up to Rs. 2,50,000/-;
- c) damages actually suffered by him not exceeding the amount specified as compensation in the agreement;
- d) unlimited damages.

20) The Andhra Pradesh Compulsory Registration of Marriages Act, 2002 applies to: ()

- a) marriages under the Hindu Marriage Act;
- b) marriages under the Special Marriage Act;
- c) marriages of persons belonging to all religions or castes;
- d) only marriages under the Divorce Act.

21) The bailment of goods as security for payment of a debt or performance of a promise is called -- ()

- a) Bailment;
- b) Mortgage;
- c) Pledge;
- d) Charge.

22) A registered document shall operate -- ()

- a) after expiry of four months from the date of registration;
- b) from the date of its registration;
- c) from the time from which it would have commenced to operate if no registration is required;
- d) none of the above.

23) 'Actionable claim' means -- ()

- a) a claim to any unsecured debt;
- b) any interest in movable property not in the possession of claimant, which the civil Courts recognized as affording grounds for relief;
- c) Both (a) and (b);
- d) Neither (a) nor (b).

24) The arbitral tribunal may correct, any computation error, any clerical or typographical error or any other errors of a similar nature occurring in the award on suo moto ()

- (a) within three months from the date of award
- (b) within two months from the date of award
- (c) within thirty days
- (d) within forty five days.

25) A dies intestate leaving behind two sons and wife. The wife was pregnant at the time of A's death. The wife gives birth to a male child after seven months of A' death. ()

- (a) the child will not inherit any property of A as he was not born at the time of A's death
- (b) the child inherits a share in the undivided property that is available for partition on the date of his birth
- (c) the child inherits with effect from the date of A's death
- (d) the child gets the entire property to the exclusion of his mother and two brothers

26) In cases of conviction of a person of several offences at one trial, in no case shall such person be sentenced to imprisonment for a longer period than ()

- (a) 14 years;
- (b) 17 years;
- (c) 20 years;
- (d) 25 years

27) A in India, instigates B, a foreigner in England to commit a murder in England. A is guilty of ()

- (a) murder
- (b) abetting murder
- (c) criminal conspiracy
- (d) abetting criminal conspiracy

28) The question is, whether A assaulted B. C deposes that he heard A say to D - "B wrote a letter accusing me of theft and I will be revenged on him". No evidence is given about the letter. Is the statement made by A to D relevant and whether court can permit C to give evidence on it. ()

- (a) No. It is only hearsay evidence
- (B) Yes. It is relevant as showing A's motive to assault
- (c) Yes. It is relevant as showing A's motive to assault, but only if evidence on the letter was already given
- (c) None of the above

29) This section provides the procedure for proving previous conviction or acquittal ()

- (a) section 353 of Cr.P.C.
- (b) Section 298 of Cr.P.C.
- (c) Section 295 of Cr.P.C.
- (d) Section 364 of Cr.P.C.

- 30) Expert opinion is relevant under section 45 of Indian Evidence Act, 1872 when it is given upon a point of ()
- (a) foreign law
 - (b) custom
 - (c) relationship
 - (d) digital signature
- 31) For the purpose of Section 436 Cr. P.C., a person arrested shall be -- ()
- (a) presumed to be an indigent person if that person is unable to give bail immediately after his arrest
 - (b) presumed to be an indigent person if that person is unable to give bail within one week of his arrest
 - (c) court shall not draw any such presumption
 - (d) there is no question of drawing such presumptions as the offence is bailable and that person shall be released on bail even though he is unable to furnish sureties
- 32) Joint trial of more than one person is dealt with under -- ()
- a) Section 219 Cr.P.C;
 - b) Section 220 Cr.P.C;
 - c) Section 223 Cr.P.C.;
 - d) Section 224 Cr.P.C.
- 33) When an offence has been compounded under Section 320 Cr.P.C. such composition of the offence shall have the effect of ()
- (a) discharge of the accused under all circumstances
 - (b) acquittal of the accused under all circumstances
 - (c) acquittal of the accused when charge was framed and discharge of the accused when charge was not framed
 - (d) neither acquittal of the accused nor discharge of the accused
- 34) Can the statement of a witness recorded by a police officer under Section 161 (3) of the Code of Criminal Procedure, 1973 be recorded by audio video electronic means? ()
- a) Yes;
 - b) No;
 - c) Yes, with the consent of the witness;
 - d) Yes, in the presence of mediators.
- 35) Where a person who is competent to compound is dead, compounding -- ()
- a) cannot be done as it abates;
 - b) can be done by the legal representatives of the deceased;
 - c) can be done by the legal representatives of the deceased with the permission of the court;
 - d) can be done by paying compensation to the legal representatives of the deceased under plea bargaining.

36) Under section 313 Cr.P.C., the statement of the accused has to be recorded -- ()

- a) On oath;
- b) Without oath;
- c) On oath in warrant case;
- d) On oath in cognizable case.

37) The period of limitation for a Court taking cognizance of an offence punishable with imprisonment for a term exceeding one year but not exceeding three years is, -- ()

- a) one year;
- b) three years;
- c) no limitation;
- d) five years.

38) Offence at place 'A', investigation by police at 'B', cognizance by Judicial First Class Magistrate at 'B', whether - ()

- a) Investigation and cognizance without jurisdiction;
- b) Investigation and cognizance not without jurisdiction;
- c) Only cognizance is without jurisdiction;
- d) Only investigation is without jurisdiction.

39) In a criminal appeal from conviction for an offence under Section 324 of the Indian Penal Code, the appellate Court: ()

- a) Can set aside the conviction and direct the trial court to commit the accused for sessions for trial of an offence under section 307 IPC;
- b) can direct committal;
- c) can consider only the validity of conviction under Section 324 IPC;
- d) None of the above answers are correct.

40) A Magistrate not empowered by law erroneously in good faith sells property under Section 458 of the Code of Criminal Procedure. Is it ()

- a) an incurable irregularity;
- b) a curable irregularity;
- c) totally illegal;
- d) illegal under certain circumstances.

HIGH COURT OF ANDHRA PRADESH:: HYDERABAD

**WRITTEN EXAMINATION FOR THE POST OF
DISTRICT AND SESSIONS JUDGE (ENTRY LEVEL)**

KEY TO PAPER-I

(Objective Type)

- | | |
|---------|---------|
| 1. (a) | 21. (c) |
| 2. (a) | 22. (c) |
| 3. (a) | 23. (c) |
| 4. (b) | 24. (c) |
| 5. (b) | 25. (c) |
| 6. (b) | 26. (a) |
| 7. (b) | 27. (b) |
| 8. (c) | 28. (a) |
| 9. (a) | 29. (b) |
| 10. (a) | 30. (a) |
| 11. (c) | 31. (b) |
| 12. (b) | 32. (c) |
| 13. (c) | 33. (b) |
| 14. (b) | 34. (a) |
| 15. (d) | 35. (c) |
| 16. (a) | 36. (b) |
| 17. (b) | 37. (b) |
| 18. (d) | 38. (b) |
| 19. (c) | 39. (c) |
| 20. (c) | 40. (b) |